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Attorney for Defendants
Avonne Atkinson, Alexis McDaniels, a minor,
and Dietra Diane Atkinson as Guardian of the
Estate of Alexis McDaniels

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

OLD MUTUAL FINANCIAL LIFE
INSURANCE COMPANY,

Plaintiff,

vs.

AVONNE ATKINSON, individually,
ALEXIS MCDANIELS (a minor),
individually and DIETRA DIANE
ATKINSON, as Guardian of the Estate of
ALEXIS MCDANIELS, DOE
INDIVIDUALS I through X, inclusive,
and ROE ENTITIES I through X,
inclusive,

Defendants.

AVONNE ATKINSON, individually,
ALEXIS MCDANIELS (a minor),
individually and DIETRA DIANE
ATKINSON, as Guardian of the Estate of
ALEXIS MCDANIELS,

Counterclaimants,

vs.

OLD LIBERTY MUTUAL FINANCIAL
INSURANCE COMPANY,

Counterdefendant.

CASE NO. : 2:10-CV-572-RLH-PAL


STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED by and between the parties, by and through their respective counsel of record, that the above-captioned matter shall be dismissed with prejudice, as to all claims and all parties, each party to bear their own costs and attorney's fees.

A copy of the file-stamped Order Approving the Minor's Compromise is attached as Exhibit 1.

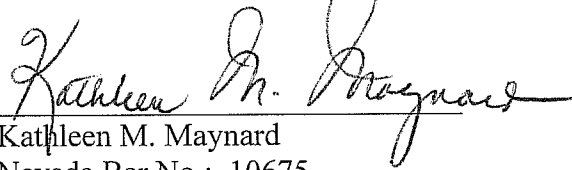
Dated: 2/3/11

PRINCE & KEATING

 #6373
FOX
Dennis M. Prince
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Attorney for Defendants
*Avonne Atkinson, Alexis McDaniels, a
minor, and Dietra Diane Atkinson as
Guardian of the Estate of Alexis
McDaniels*

Dated: 2/3/11

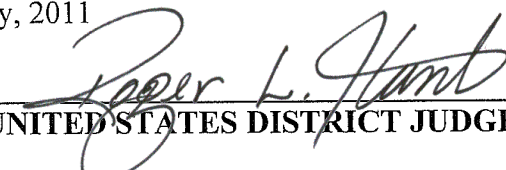
THORNDAL, ARMSTRONG, DELK,
BALKENBUSH & EISINGER


Kathleen M. Maynard
Nevada Bar No.: 10675
1100 E. Bridger Avenue
Las Vegas, Nevada 89101
Attorney for Plaintiff
*Old Mutual Financial Life Insurance
Company*

ORDER

IT IS SO ORDERED.

Dated this 7th day of February, 2011


UNITED STATES DISTRICT JUDGE

Prepared and submitted by:

PRINCE & KEATING


 #6373
PR
Dennis M. Prince
3230 South Buffalo Drive, Suite 108
Las Vegas, Nevada 89117
Attorney for Defendants/Counterclaimants

EXHIBIT 1

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1 **ORDG**

2 DENNIS M. PRINCE

3 Nevada Bar No. 5092

4 **PRINCE & KEATING**

5 3230 South Buffalo Drive

6 Suite 108

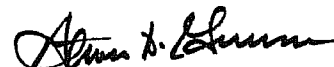
7 Las Vegas, Nevada 89117

8 (702) 228-6800

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10 *dprince@princekeating.com*

11 Attorney for Petitioner



CLERK OF THE COURT

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 In Re the Disputed Claim of:

CASE NO. : A10-631908-M

DEPT. NO.: XVI

15 ALEXIS MCDANIELS,

16 a minor.

17 **ORDER GRANTING COMPROMISE OF DISPUTED CLAIM OF A MINOR**

18 This matter having come on for hearing upon the Petition and Application for an
19 Ordering Compromising Disputed Claim of Alexis McDaniels, a minor, the Petitioner
20 appearing by and through their attorneys, PRINCE & KEATING, and the Court, having
21 considered the Petition and Application of Dietra Atkinson, parent and natural guardian of
22 Alexis McDaniels, a minor, to compromise the claim on behalf of said minor child arising
23 out of a claim for life insurance benefits against Old Mutual Financial Life Insurance
24 Company as a result of the death of the minor's father, Michael McDaniels; and the Court
25 finding that the allegations of said Petition are true and that it is in the best interest of said
26 minor that the disputed additional claim be settled as proposed in the Petition:

27 ...

28 ...

01-07-11 09:01 RC

1 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the proposed
 2 settlement of the claim of Alexis McDaniels, a minor, against Old Mutual Financial Life
 3 Insurance Company be, and the same is hereby approved for the personal injury claims made
 4 by said minor in the total sum of TWENTY-FIVE THOUSAND (\$ 25,000.00) DOLLARS to
 5 be disbursed as follows:
 6

7 Attorney's Fees (33%)	\$ 8,335.00
8 Costs of suit	\$ 343.16
9 Amount to be deposited into Blocked	
10 Trust Account	\$ 16,321.84

11 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED:**

- 12 6. A. Authorization to deposit said settlement funds in the amount
 13 of Sixteen Thousand Three Hundred Twenty-One Dollars and
 14 84/100 (\$16,321.84) into a blocked trust account at Wells Fargo
 15 Bank on behalf of Alexis McDaniels, minor, is hereby given to
 16 Petitioner;
 17
 18 B. Funds deposited in the blocked trust account shall not be
 19 removed, liquidated or diminished prior to the minor reaching
 20 the age of eighteen (18) years without Court approval upon a
 21 showing that the withdrawal is in the best interest of that minor
 22 child;

23 ...

24 ...

1 C. Petitioner and PRINCE & KEATING, shall cause, within sixty
2 (60) days of the date of this order, proof to be filed with this
3 court that the blocked annuity accounts have been established;
4

5 D. A status check before this Court is set for
6 March 15, 2011 9:00am to show compliance with this Order. In
7 the event the proof of compliance has been filed with this Court,
8

9 it will not be necessary for the Petitioner or Dennis M. Prince to
10 attend this status check hearing;

11 E. IT IS FURTHER ORDERED that the trustee or petitioner
12 SHALL file periodic verified annual reports in order to detail
13 the activities of the blocked annuity account during the previous
14 twelve (12) months pursuant to NRS 41.200(5); and,
15

16 **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that said Petitioners
17 are to execute a full and final release and to discharge Old Mutual Financial Life Insurance
18 Company of and from all claims, charges and demands for a claim for life insurance benefits
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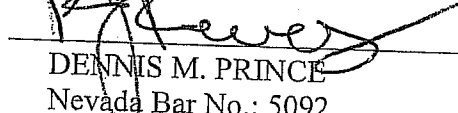
1 against Old Mutual Financial Life Insurance Company as a result of the death of the minor's
2 father, Michael McDaniels.

3 DATED this 10th
4 day of January, 2011.

5
6 
7 DISTRICT COURT JUDGE 

8 Submitted by:

9 PRINCE & KEATING

10 By:  for (11445)
11 DENNIS M. PRINCE
12 Nevada Bar No.: 5092
13 3230 S Buffalo Drive
14 Suite 108
15 Las Vegas, Nevada 89117
16 Attorney for Petitioner
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